

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.9232 of 2006

DATED:28.04.2006

Between:

Panda Lakshmi and others

..Petitioners

And

Mandal Revenue Officer, Devipatnam (M), East Godavari District. and another.

..Respondents

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WRIT PETITION No.9232 of 2006

ORDER:

Petitioners, who are 19 in number, claim to belong to Scheduled Tribes. Petitioners 1 to 17 are residents of M.Ravilanka Village in Indukuru Panchayath, Devipatnam Mandal, East Godavari District and petitioners 18 and 19 are residents of Potharam Village in Devaram Panchayath, Devipatnam Mandal, East Godavari District. All of them except petitioners 18 and 19 were statedly assigned land in 1997, and others were allotted in 2005, and since then they have been in continuous possession of the same. They allege that some of the persons came with heavy machinery like proclain machines and demolished the bunds stating that they are doing so, as directed by the first respondent. When they approached the first respondent, they were allegedly informed that the land under their possession is being resumed to accommodate family displaced persons under the Polavaram Project. The respondents did not initiate any action either in the land acquisition or under law.

Therefore, the petitioners filed the present Writ Petition seeking a declaration and direction to the respondents not to dispossess the petitioners.

The matter initially taken up in the forenoon and was passed over to enable the learned Assistant Government Pleader for Revenue (Assignment) to get instructions in the matter. When the case is called in the afternoon, learned Assistant Government Pleader submits that the Mandal Revenue Officer is busy with 'Praja Patham Programme' and therefore, he could not get instructions.

Therefore, instead of keeping the matter pending, the Writ Petition is disposed of with an observation that unless and until the respondents follow due process of law, they cannot cancel the pattas duly resuming the land of the petitioners by issuing notice to them. Their possession cannot be interfered even if there is no crop on the land. No costs.

(V.V.S.RAO, J)

28.04.2006

GJ